

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

The A.P. Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No.1 of 1986) – Order of detention passed by the Collector & District Magistrate, East Godavari against Smt. Polisetti Laxmi, W/o. Kondaiah (late), aged 38 years, R/o. Ayyappanagar, Thadi Thota, Rajahmundry Town, East Godavari District – Representation of Sri P. Durga Rao, son the detenu – Rejected.

GENERAL ADMINISTRATION (LAW AND ORDER.II) DEPARTMENT

G.O.Rt.No. 4063

Dated:13.08.2010

Read the following:-

- 1.From the Collector & District Magistrate, E.G. District, Rc.No.C1(M)/496/2010, dt. 22-6-2010.
- 2.G.O.Rt.No.3184,G.A. (L&O-II) Dept., dt. 28-06-2010.
3. G.O.Rt.No.3561,G.A. (L&O-II) Dept.,dt. 19-07-2010.
- 4.Representationof Sri P. Durga Rao, dt, 12-07-2010.

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O R D E R:

In the order first read above, the Collector & District Magistrate, East Godavari has passed detention order against Smt. Polisetti Laxmi, W/o. Kondaiah (late),aged 38 years, R/o. Ayyappanagar, Thadi Thota, Rajahmundry Town, East Godavari District, under Act No.1 of 1986, as she has been repeatedly indulging in illegal possession, transport and sale of I.D. Liquor in contravention of Sec.8(e) R/w 7-A of A.P. Prohibition (Amendment) Act, 1997 and also to prevent her from indulging in such activities which are prejudicial to the public health and public order. In the G.Os. second and third read above, Government have approved and confirmed the said order of detention.

2. In the Review Meeting of the Advisory Board, Sri P. Durga Rao, son of the detenu, has submitted a representation dt. 12-7-2010 to the Members of Advisory Board requesting to revoke detention order and release his mother (detenu). The Advisory Board has forwarded the said representation, to Govt., while tendering its opinion on the detention of Smt. Polisetti Laxmi.

3. Sri P.Durga Rao, in his representation has contended inter alia that the complaint alleged to have been given by the neighbours against his mother (Smt. Polisetti Laxmi) is not a genuine one and that the signatures therein are fabricated; that in the year 2007 his mother was detained in a P.D. Case and later she was released by the Hon'ble High Court and since the complaint, stated to be given by the neighbours is not genuine, the P.D Act is not applicable to his mother and requested for her release.

4. The representation of Sri P.Durga Rao, has been examined, and it is observed that the order for detention of Smt.Polisetti Lakshmi, the detenu, was issued based on certain cases filed against her for the offences of possession, transport and sale of ID liquor in contravention of A.P.Prohibition(Amendment) Act, 1997, but not based on the complaint stated to be given by the neighbours. As per the grounds of detention, the detenu was involved in three cases,viz., COR No.461/2009-10, dt. 1-09-2009 , COR No.77/2010-11,dt.27-4-2010 and COR No.119/2010-11, dt.6-5-2010. The

(PTO)

applicant in his representation did not dispute regarding the cases filed against his mother (the detenu). The Chemical Examiner who examined the seized I.D liquor in the cases, reported that the samples are illicitly distilled liquor, unfit for human consumption and injurious to health. The other contention that once his mother (detenu) was detained under P.D. Act, in the year 2007 and later released by the Hon'ble High Court, is in no way relevant with the order of detention now passed by the Collector and District Magistrate, East Godavari District, based on commission of new offences. The present order was passed based on the cases booked against her during the years 2009 and 2010. The Advisory Board in its meeting held on 12-07-2010, reviewed the case of Smt. Polisetti Laxmi (detenu) as required under section 11 of the Act and reported that there is sufficient cause for the detention of Smt. Polisetti Laxmi (Detenu).

5. It is therefore considered that the representation of the son of the detenu merits no consideration and liable for rejection. Accordingly, Government hereby reject the request of Sri P.Durga Rao, for revocation of detention order and to release his mother, Smt. Polisetti Laxmi.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

R.M. GONELA
PRINCIPAL SECRETARY TO GOVERNMENT (POLL)

To
Sri P.Durga Rao, S/o Kondaiah (late),
Ayyappanagar, Thadi Thota, Rajahmundry Town,
East Godavari District
Smt.Polisetti Laxmi, W/o. Kondaiah (late), detenu through the
Superintendent, Spl. Prison for Women, Rajahmundry,
East Godavari District.

Copy to-
The Superintendent, Spl. Prison for Women,, Rajahmundry, East Godavari District(with instructions to serve the order on the detenu immediately under proper acknowledgement and arrange to read over and explain the contents therein to the detenu in the language known to her and report compliance to Government).

The Collector and District Magistrate, East Godavari, at Kakinada.

The Prohibition & Excise Superintendent, Rajahmundry,
East Godavari District.

Sf/sc

//FORWARDED:: BY ORDER//

SECTION OFFICER (SC)